

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PAMELA BUTLER, )  
                        )  
Plaintiffs,         )  
                        )  
vs.                   )              Case No. 4:18-cv-01701-AGF  
                        )  
MALLINCKRODT LLC, et al., )              Lead Case  
                        )  
Defendants.         )

**CASE MANAGEMENT ORDER NO. 3 REGARDING**  
**BUTLER v. MALLINCKRODT LLC, NO. 4:18-CV-01701-AGF, ET AL.**

In accordance with the parties' joint status report (ECF No. 43) and for the reasons discussed during the status conference held on July 21, 2021,

**IT IS HEREBY ORDERED** that the following amended schedule shall apply in these cases:

1. On or before August 20, 2021, the parties shall file a joint notice listing by ECF No. those Orders from *McClurg et al v. Mallinckrodt, LLC et al.*, 4:12-cv-00361-AGF that are most material to these four consolidated cases, so that such Orders may be separately docketed in this Lead Case.

2. The parties shall make all disclosures required by Rule 26(a)(1), Fed. R. Civ. P., no later than August 20, 2021.

3. Absent leave of this Court, Plaintiffs may not take an additional deposition of a corporate representative of Defendant Mallinckrodt, LLC under Rule 30(b)(6), Fed. R. Civ. P., regarding topics previously noticed by or known to the parties in the cases consolidated under *McClurg et al v. Mallinckrodt, LLC et al.*, 4:12-cv-00361-AGF. If Plaintiffs wish to take such a deposition, they may file a motion for leave to do so, citing any relevant authority on which Plaintiffs rely.

4. Following the exchange of Rule 26(a)(1) disclosures, the parties shall promptly meet and confer and shall, no later than September 20, 2021, file a joint notice listing all outstanding individual discovery and a schedule for completing such discovery or, if the parties agree, a joint statement indicating that the parties wish to delay such individual discovery until after the resolution of common issues.

5. Any motions related to *Daubert* must be filed on or before August 18, 2021. Responses shall be filed no later than 28 days of any motions, and any reply shall be filed within 14 days of any response. *Daubert* motions and responses thereto may be up to 25 pages in length.

6. The Court will set a deadline for dispositive motions at a later date, after determining the schedule for individual discovery. After the Court rules on dispositive motions on common issues, it will transfer any remaining cases back to the original judge(s) for dispositive motions on individual issues and/or for trial.

**IT IS FURTHER ORDERED** that the next status conference with respect to these cases shall take place on **Thursday, October 21, 2021 at 2:00 p.m.** The status conference will take place by Zoom. Hearing participants are directed to use the following Zoom log in information: Meeting ID: 161 444 0464; Password: 973200. Members of the general public who wish to listen to the hearing are directed to call 1-669-254-5252; Meeting ID: 161 444 0464. All participants are directed to add their name (right click and select Rename) to their profile upon entering the Zoom hearing. Non-case participants must remain muted throughout the entire proceedings. Pursuant to Local Rule 13.02, all means of photographing, recording, broadcasting, and televising are prohibited in any courtroom, and in areas adjacent to any courtroom, except when authorized by the presiding judge. This includes proceedings ordered by the Court to be conducted by phone or video.

**IT IS FURTHER ORDERED** that, no later than seven days before the next

status conference, lead counsel shall file a joint status report setting out the topics that the parties wish to address during the conference.

*Audrey G. Fleissig*  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of July, 2021.